

Attorney Docket No.: DEX-0087
Inventors: Recipon and Macina
Serial No.: 09/705,500
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In the Claims:

Please cancel claims 6-11, 13 and 14, without prejudice.

Please amend the claims as follows:

- C |
1. (amended) A method for diagnosing the presence of cancer in a patient comprising:
- (a) determining levels of Lng108 in cells, tissues or bodily fluids in a patient; and
- B | (b) comparing the determined levels of Lng108 with levels of Lng108 in cells, tissues or bodily fluids from a normal human control, wherein a change in determined levels of Lng108 in said patient versus normal human control is associated with the presence of cancer and wherein Lng108 comprises a polynucleotide of SEQ ID NO:1 or 2, a polynucleotide which hybridizes under stringent conditions to an antisense sequence of SEQ ID NO:1 or 2, or a protein expressed by a polynucleotide sequence of SEQ ID NO:1 or 2.
2. (amended) A method of diagnosing metastases of cancer in a patient comprising:
- (a) identifying a patient having cancer that is not known to have metastasized;
- (b) determining Lng108 levels in a sample of cells, tissues, or bodily fluid from said patient; and

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(c) comparing the determined Lng108 levels with levels of Lng108 in cells, tissue, or bodily fluid of a normal human control, wherein an increase in determined Lng108 levels in the patient versus the normal human control is associated with a cancer which has metastasized and wherein Lng108 comprises a polynucleotide of SEQ ID NO:1 or 2, a polynucleotide which hybridizes under stringent conditions to an antisense sequence of SEQ ID NO:1 or 2, or a protein expressed by a polynucleotide sequence of SEQ ID NO:1 or 2.

3. (amended) A method of staging cancer in a patient having cancer comprising:

- (a) identifying a patient having cancer;
- (b) determining Lng108 levels in a sample of cells, tissue, or bodily fluid from said patient; and
- (c) comparing determined Lng108 levels with levels of Lng108 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in determined Lng108 levels in said patient versus the normal human control is associated with a cancer which is progressing and a decrease in the determined Lng108 levels is associated with a cancer which is regressing or in remission and wherein Lng108 comprises a polynucleotide of SEQ ID NO:1 or 2, a polynucleotide which hybridizes under stringent conditions to an

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antisense sequence of SEQ ID NO:1 or 2, or a protein expressed by a polynucleotide sequence of SEQ ID NO:1 or 2.

4. (amended) A method of monitoring cancer in a patient for the onset of metastasis comprising:

(a) identifying a patient having cancer that is not known to have metastasized;

(b) periodically determining levels of Lng108 in samples of cells, tissues, or bodily fluid from said patient; and

(c) comparing the periodically determined Lng108 levels with levels of Lng108 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in any one of the periodically determined Lng108 levels in the patient versus the normal human control is associated with a cancer which has metastasized and wherein Lng108 comprises a polynucleotide of SEQ ID NO:1 or 2, a polynucleotide which hybridizes under stringent conditions to an antisense sequence of SEQ ID NO:1 or 2, or a protein expressed by a polynucleotide sequence of SEQ ID NO:1 or 2.

5. (amended) A method of monitoring a change in stage of cancer in a patient comprising:

(a) identifying a patient having cancer;

(b) periodically determining levels of Lng108 in cells, tissues, or bodily fluid from said patient; and

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(c) comparing the periodically determined Lng108 levels with levels of Lng108 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in any one of the periodically determined Lng108 levels in the patient versus the normal human control is associated with a cancer which is progressing in stage and a decrease is associated with a cancer which is regressing in stage or in remission and wherein Lng108 comprises a polynucleotide of SEQ ID NO:1 or 2, a polynucleotide which hybridizes under stringent conditions to an antisense sequence of SEQ ID NO:1 or 2, or a protein expressed by a polynucleotide sequence of SEQ ID NO:1 or 2.

12. (amended) The method of claim 1, 2, 3, 4 or 5 wherein the cancer is lung cancer.

REMARKS

Claims 1-14 are pending in the instant application. Claims 7-11, 13 and 14 have been withdrawn from consideration by the Examiner and subsequently canceled without prejudice by Applicants in this amendment. Claims 1-6 and 12 have been rejected. Claims 1-5 and 12 have been amended. Claim 6 has been canceled without prejudice. No new matter has been added by these amendments. Reconsideration is respectfully requested in